

Jack Fernandez, Esquire
ZUCKERMAN SPAEDER, LLP
101 E. Kennedy Blvd., Suite 1200
Tampa, FL 33602
813-221-1010 (telephone)
813-223-7961 (facsimile)
COUNSEL FOR DEFENDANT STANLEY C. HOPKINS, M.D.

RECEIVED
CLERK
2003 AUG -4 P 3:44
UNITED STATES
DISTRICT COURT

DUANE MORRIS LLP
BY: Cindy Dunlap Hinkle, Esquire
59 Haddonfield Road, Suite 340
Cherry Hill, NJ 08002-4810
Telephone: 856-488-7300
Facsimile: 856-488-7021
ASSOCIATE LOCAL COUNSEL

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

International Union of Operating Engineers,
Local No. 68 Welfare Fund,

Plaintiff,

v.

AstraZeneca PLC; AstraZeneca Pharmaceuticals LP;
AstraZeneca LP; Zeneca, Inc.; TAP Pharmaceutical Products,
Inc.; Abbott Laboratories; Takeda Chemical Industries, Ltd.;
Bayer AG; Bayer Corporation; Miles Laboratories, Inc.; Cutter
Laboratories, Inc.; GlaxoSmithKline, P.L.C.; SmithKline
Beecham Corporation; Glaxo Wellcome, Inc.; Pharmacia
Corporation; Pharmacia & Upjohn, Inc.; Monsanto Company;
G.D. Searle Company; Sanofi-Synthelabo Inc.; Johnson &
Johnson; Alza Corporation; Centocor, Inc.; Ortho Biotech, Inc.;
Alpha Therapeutic Corporation; Hoffman La-Roche Inc.;
Amgen, Inc.; Immunex Corporation; Aventis Pharmaceuticals,
Inc.; Aventis Behring L.L.C.; Hoechst Marion Roussel, Inc.;
Centeon, L.L.C.; Armour Pharmaceuticals; Baxter International
Inc.; Baxter Healthcare Corporation; Immuno-U.S., Inc.;
Boehringer Ingelheim Corporation; Ben Venue Laboratories,
Inc.; Bedford Laboratories; Roxane Laboratories, Inc.; Bristol-
Myers Squibb Company; Oncology Therapeutics Network
Corporation; Apothecon, Inc.; Dey, Inc.; Fujisawa
Pharmaceutical Co., Ltd.; Fujisawa Healthcare, Inc.; Fujisawa
USA, Inc.; Novartis International AG; Novartis Pharmaceutical
Corporation; Sandoz Pharmaceutical Corporation; Schering-
Plough Corporation; Warrick Pharmaceuticals Corporation;

C.A. NO. 03-3230 (SRC)

**JOINDER OF DEFENDANT
STANLEY C. HOPKINS,
M.D., IN PLAINTIFF'S
MOTION FOR REMAND,
OR, IN THE
ALTERNATIVE, MOTION
TO REMAND PURSUANT
TO 28 U.S.C. § 1448**

EXHIBIT 1

Sicor, Inc.; Gensia Sicor Pharmaceuticals, Inc.; Wyeth; Wyeth Pharmaceuticals; Saad Antoun, M.D.; Stanley C. Hopkins, M.D.; Robert A. Berkman, M.D.; Does 1-50; ABC Corp. 1-50; and XYZ Partnerships; and Associations 1-50,

Defendants.

**JOINDER OF DEFENDANT STANLEY C. HOPKINS, M.D., IN
PLAINTIFF'S MOTION FOR REMAND, OR, IN THE ALTERNATIVE,
MOTION TO REMAND PURSUANT TO 28 U.S.C. § 1448**

Defendant, Stanley C. Hopkins, M.D., by and through his undersigned counsel, hereby joins in the Plaintiff's Motion for Remand, or, in the alternative, moves this Honorable Court to remand this case to state court pursuant to 28 U.S.C. § 1448, and in support thereof avers as follows:

1. This Court's next motion day is September 2, 2003.
2. The Class Action Complaint in the instant case was filed on June 30, 2003, in the Superior Court of New Jersey, Monmouth County.
3. The undersigned accepted service of the Class Action Complaint on behalf of his client, defendant, Stanley C. Hopkins, M.D., on July 3, 2003.
4. Co-defendant, AstraZeneca Pharmaceuticals, L.P. ("AstraZeneca"), removed this action to this Court by filing a Notice of Removal on July 3, 2003.
5. On July 9, 2003, plaintiff filed a Motion for Remand, which was based, in part, upon the lack of consent by Dr. Hopkins.
6. Dr. Hopkins has not provided his consent to removal, although his consent was sought by counsel for AstraZeneca.
7. The undersigned clearly verbally communicated Dr. Hopkins' denial of consent to federal court jurisdiction to counsel for AstraZeneca, and to counsel for plaintiff.

8. In view of Dr. Hopkins' lack of consent to federal court jurisdiction over this matter, the plaintiff's Motion for Remand should be granted.

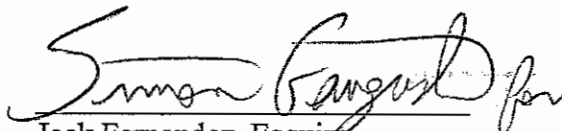
9. In the alternative, should this Court deny the plaintiff's Motion for Remand, despite the lack of consent of Dr. Hopkins to federal court jurisdiction, Dr. Hopkins hereby seeks to have this case remanded pursuant to 28 U.S.C. § 1448 for the same reason.

10. Since defendant Stanley C. Hopkins, M.D., hereby joins in plaintiff's Motion for Remand and brief in support thereof, the filing of a separate brief in support of defendant's notice of joinder and, in the alternative, motion to remand, is unnecessary in this instance.

WHEREFORE, defendant, Stanley C. Hopkins, M.D., hereby joins in the plaintiff's Motion for Remand and respectfully requests that this Honorable Court remand the case to the Superior Court of New Jersey, Monmouth County, either on the basis of plaintiff's Motion for Remand or upon his own motion.

Respectfully submitted,

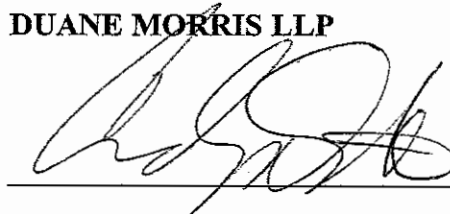
ZUCKERMAN SPAEDER LLP.

A handwritten signature in black ink, appearing to read "Jack Fernandez", with a stylized flourish at the end.

Jack Fernandez, Esquire
101 E. Kennedy Blvd., Suite 1200
Tampa, FL 33602
Telephone: 813-221-1010
Facsimile: 813-223-7961
Counsel for Defendant Stanley C.
Hopkins, M.D.

- AND -

DUANE MORRIS LLP

A handwritten signature in black ink, appearing to be a stylized name, possibly "Duane Morris", with a flourish at the end.

Cindy Dunlap Hinkle, Esquire
59 Haddonfield Road, Suite 340
Cherry Hill, NJ 08002-4810
Telephone: 856-488-7300
Facsimile: 856-488-7021
Associate Local Counsel for
Defendant Stanley C. Hopkins, M.D.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been furnished to all counsel of record on the attached service list by telecopy this 4th day of August, 2003.



Attorney

SERVICE LIST

Shanin Specter, Esquire
Donald E. Haviland, Jr., Esquire
TerriAnne Benedetto, Esquire
R. Matthew Plona, Esquire
KLINE & SPECTER, P.C.
1800 Chapel Avenue, Suite 302
Cherry Hill, NJ 08002
Ph: 856-662-1180
Fax: 856-662-1184
Attorneys for Plaintiff and the Class

John E. Keefe, Jr., Esquire
LYNCH ♦ MARTIN
830 Broad Street
Shrewsbury, NJ 07702
Ph: 732-224-9400
Fax: 732-224-9494
Attorneys for Plaintiff and the Class

Raymond A. Gill, Jr., Esquire
GILL & CHAMAS
655 Florida Grove Road
Post Office Box 760
Woodbridge, NJ 07095
Ph: 732-324-7600
Fax: 732-324-7606
Attorneys for Plaintiff and the Class

David J. Cooner, Esquire
MCCARTER & ENGLISH, LLP
Four Gateway Center
100 Mulberry Street
Post Office Box 652
Newark, NJ 07101-0652
Ph: 973-639-6971
Fax: 973-297-3960
National counsel for defendants, AstraZeneca, PLC,
AstraZeneca Pharmaceuticals LP, AstraZeneca LP,
Zeneca, Inc.

Joshua T. Buchman, Esquire
MCDERMOTT, WILL & EMERY
227 West Monroe Street
Chicago, IL 60606-5096
Ph: 312-984-7600
Fax: 312-984-7700
National counsel for defendant, Abbott Laboratories

Andrew D. Schau, Esquire
William F. Cavanaugh, Jr., Esquire
Adeel Abdullah Mangi, Esquire
Kieran M. Corcoran, Esquire
Erik Haas, Esquire
PATTERSON, BELKNAP, WEBB & TYLER, LLP
1133 Avenue of the Americas
New York, NY 10036-6710
Ph: 212-336-2546
Fax: 212-336-2222
National counsel for defendants, Alza Corporation,
Johnson & Johnson, Centocor, Inc., Ortho Biotech

Joseph H. Young, Esquire
Steven F. Barley, Esquire
HOGAN & HARTSON, LLP
111 S. Calvert Street, Suite 1600
Baltimore, MD 21202
Ph: 410-659-2700
Fax: 410-539-6981
National counsel for defendants, Amgen, Inc.,
Apothecon, Inc., Bristol-Myers Squibb Company,
Aventis Behring L.L.C., Aventis Pharmaceuticals, Inc.,
Oncology Therapeutics Network Corporation

Steven M. Edwards, Esquire
Lyndon M. Tretter, Esquire
HOGAN & HARTSON L.L.P.
875 Third Avenue
New York, NY 10022
Ph: 212-918-3000
Fax: 212-918-3100
National counsel for defendants, Amgen, Inc.,
Apothecon, Inc., Bristol-Myers Squibb Company,
Aventis Behring L.L.C., Aventis Pharmaceuticals, Inc.,
Oncology Therapeutics Network Corporation

Kimberly Harris, Esquire
D. Scott Wise, Esquire
DAVIS POLK & WARDELL
450 Lexington Avenue
New York, NY 10017
Ph: 212-450-4000
Fax: 212-450-3800
National counsel for defendants, AstraZeneca, PLC,
AstraZeneca Pharmaceuticals LP, AstraZeneca LP,
Zeneca, Inc.

Michael Mustokoff, Esquire
DUANE MORRIS LLP
One Liberty Place, Suite 4200
Philadelphia, PA 19103-7396
Ph: 215-979-1810
Fax: 215-979-1020
National counsel for Saad Antoun, M.D.

Terry K. Sherman, Esquire
52 West Whittier Street
Columbus, OH 43206
Ph: 614-444-8800
Fax: 614-445-9487
National counsel for defendant, Robert A. Berkman,
M.D.

Merle M. DeLancey, Jr., Esquire
Robert J. Higgins, Esquire
J. Andrew Jackson, Esquire
DICKSTEIN, SHAPIRO MORIN & OSHINSKY, LLP
2101 L Street N.W.
Washington, DC 20037
Ph: 202-785-9700
Fax: 202-887-0689
National counsel for defendants, Baxter Healthcare
Corporation, Baxter International Inc.

Richard D. Raskin, Esquire
David C. Giardina, Esquire
SIDLEY AUSTIN BROWN & WOOD LLP
Bank One Plaza
10 S. Dearborn Street, 48th Floor
Chicago, IL 60603
Ph: 312-853-7000
Fax: 312-853-7036
National counsel for defendants, Bayer AG, Bayer
Corporation

Michael T. Scott, Esquire
REED SMITH LLP
2500 One Liberty Place
1650 Market Street
Philadelphia, PA 19103-7301
Ph: 215-851-8100
Fax: 215-851-1420
National counsel for defendants, Fujisawa USA, Inc.,
Fujisawa Healthcare, Inc., Fujisawa Pharmaceutical Co.,
Ltd.

Scott A. Stempel, Esquire
MORGAN, LEWIS & BOCKIUS, LLP
1111 Pennsylvania Avenue
Washington, DC 20004-2921
Ph: 202-739-3000
Fax: 202-739-3001
National counsel for defendants, G.D. Searle, Monsanto
Company, Pharmacia Corporation, Pharmacia &
Upjohn, Inc.

John C. Dodds, Esquire
MORGAN, LEWIS & BOCKIUS, LLP
1701 Market Street
Philadelphia, PA 19103-2921
Ph: 215-963-5000
Fax: 215-963-5299
National counsel for defendants, G.D. Searle, Monsanto
Company, Pharmacia Corporation, Pharmacia &
Upjohn, Inc.

Kirke M. Hasson, Esquire
Albert G. Lin, Esquire
Reed Harvey, Esquire
PILLSBURY WINTHROP, LLP
50 Fremont Street
San Francisco, CA 94105
Ph: 415-983-1389
Fax: 415-983-1200
National counsel for defendants, Gensia Sicor
Pharmaceuticals, Inc., Sicor, Inc.

Frederick G. Herold, Esquire
DECHERT, PRICE & RHOADS
4000 Bell Atlantic Tower
1717 Arch Street
Philadelphia, PA 19103-2793
Ph: 215-884-2413
Fax: 215-994-2222
National counsel for defendants, Glaxo Wellcome, Inc.,
GlaxoSmithKline, P.L.C., SmithKline Beecham
Corporation

Paul J. Coval, Esquire
Douglas L. Rogers, Esquire
VORYS, SATER, VORYS, SATER, SEYMOUR AND
PEASE LLP
52 East Gay Street
Post Office Box 1008
Columbus, OH 43216-1003
Ph: 614-464-5635
Fax: 614-719-4674
National counsel for defendants, Bedford Laboratories,
Ben Venue Laboratories, Inc., Boehringer Ingelheim
Corporation, Roxane Laboratories, Inc.

Stephen M. Hudspeth, Esquire
Darrell Prescott, Esquire
Lisa Lewis, Esquire
Leila Pittaway, Esquire
COUDERT BROTHERS LLP
The Grace Building
1114 Avenue of the Americas
New York, NY 10036-7703
Ph: 212-626-4400
Fax: 212-626-4120
National counsel for defendant, Dey, Inc.

Kathleen M. McGuan, Esquire
Andrew L. Hurst, Esquire
REED SMITH LLP
1301 K Street NW
Suite 1100 – East Tower
Washington, DC 20005
Ph: 202-414-9200
Fax: 202-414-9299
National counsel for defendants, Fujisawa USA, Inc.,
Fujisawa Healthcare, Inc., Fujisawa Pharmaceutical Co.,
Ltd.

David J. Burman, Esquire
Kathleen M. O'Sullivan, Esquire
Zoe Philippides, Esquire
PERKINS COIE LLP
1201 Third Avenue, Suite 4800
Seattle, WA 98101-3099
Ph: 206-583-8888
Fax: 206-583-8500
National counsel for defendant, Immunex Corporation

Paul Schleifman, Esquire
SHOOK, HARDY & BACON, LLP
One Kansas City Place
1200 Main Street
Kansas City, MO 64105-2118
Ph: 202-783-8400
Fax: 202-783-4211
National counsel for defendant, Hoechst Marion
Roussel, Inc.

Thomas P. McGonigle, Esquire
DUANE MORRIS LLP
1100 North Market Street, Suite 1200
Wilmington, DE 19801-1246
Ph: 302-657-4900
Fax: 302-657-4901
National counsel for defendant, Saad Antoun, M.D.

Nancy L. Newman, Esquire
KNAPP, PETERSON AND CLARKE
500 North Brand Boulevard, 20th Floor
Glendale, CA 91203
Ph: 213-245-9400
Fax: 818-547-5329
National counsel for defendant, Alpha Therapeutic Corp.

Colleen M. Hennessey, Esquire
PEABODY & ARNOLD, LLP
30 Rowes Wharf
Boston, MA 02110
Ph: 617-951-2100
Fax: 617-951-2125
National counsel for defendant Hoffman La-Roche, Inc.

Brien T. O'Connor, Esquire
John T. Montgomery, Esquire
Kirsten V. Mayer, Esquire
David C. Potter, Esquire
ROPES & GRAY
One International Place
Boston, MA 02110
Ph: 617-951-7000
Fax: 617-951-7050
National counsel for defendants, Schering-Plough
Corporation, Warrick Pharmaceuticals Corporation

Robert R. Stauffer, Esquire
Thomas P. Sullivan, Esquire
JENNER & BLOCK
One IBM Plaza, 45th Floor
330 N. Wabash Avenue
Chicago, IL 60611
Ph: 312-222-9350
Fax: 312-840-7305
National counsel for defendant, Takeda Chemical
Industries, Ltd.

Daniel E. Reidy, Esquire
Lee Ann Russo, Esquire
JONES DAY REAVIS & POGUE
77 West Wacker
Chicago, IL 60601-1692
Ph: 312-782-3939
Fax: 312-782-8585
National counsel for defendant, TAP Pharmaceutical
Products Inc.

S. Craig Holden, Esquire
Connie E. Eiseman, Esquire
OBER, KALER GRIMES & SHRIVER
120 E. Baltimore Street
Baltimore, MD 21202
Ph: 410-685-1120
Fax: 410-547-0699
National counsel for defendants, Wyeth, Wyeth
Pharmaceuticals

David J. Cerveney, Esquire
HALE & DORR, LLP
60 State Street
Boston, MA 02109
Ph: 617-526-6000
Fax: 617-526-5000
National counsel for defendants, Novartis International
AG, Novartis Pharmaceutical Corp., Sandoz
Pharmaceutical Corp.

John M. Spinnato, Vice Pres. & General Counsel
SANOFI-SYNTHELABO INC.
90 Park Avenue
New York, NY 10016
Ph: 212-551-4000
Fax: 212-551-4928
National counsel for defendant, Sanofi-Synthelabo, Inc.

Dennis M. Duggan, Jr., Esquire
NIXON PEABODY, LLP
101 Federal Street
Boston, MA 02210
Ph: 617-345-1000
Fax: 617-345-1300
National counsel for defendant, Alpha Therapeutic Corp.